

Attorney Docket No.: 042390.P7920

02DO  
#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

ERIK C. COTA-ROBLES, ET AL.

Application No.: Not Yet Assigned

Filed: March 31, 2000

For: **REAL-TIME SCHEDULING OF  
VIRTUAL MACHINES**

Art Group: Not Yet Assigned

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with their duty of disclosure under 37 CFR § 1.56 and in accordance with 37 CFR § 1.97(b), Applicants submit the enclosed Form PTO-1449, including copies of the cited art listed therein.

Applicants contend that the cited art does not preclude the patentability of the present invention because the cited art neither anticipates nor renders obvious the present invention.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

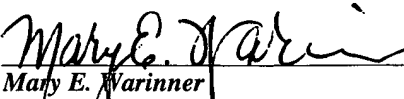
Date: April 14, 2000

  
Gregory D. Caldwell, Reg. No. 39,926

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 to the Patent and Trademark Office on: April 14, 2000.

  
Mary E. Warinner

04/14/00

Date



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PTO/SB/17 (6/99)  
Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL for FY 1999

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

|                        |                     |
|------------------------|---------------------|
| Application Number     | Not Yet Assigned    |
| Filing Date            | March 31, 2000      |
| First Named Inventor   | Erik C. Cota-Robles |
| Examiner Name          | Not Yet Assigned    |
| Group/Art Unit         | Not Yet             |
| Attorney Docket Number | 042390.P7920        |

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees to:

2. ☒ The Commissioner is hereby authorized to credit any over payments to:

Deposit  
Account  
Number

02-2666

Deposit  
Account  
Name

Blakely, Sokoloff, Taylor & Zafman LLP

☒ Charge Any Additional Fees Required Under 37  
CFR §§ 1.16, 1.17, 1.18 and 1.20.

2. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 690      | 201          | 345      | Utility filing fee     |          |
| 106          | 310      | 206          | 155      | Design filing fee      |          |
| 107          | 480      | 207          | 240      | Plant filing fee       |          |
| 108          | 690      | 208          | 345      | Reissue filing fee     |          |
| 114          | 150      | 214          | 75       | Provisional filing fee |          |

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    |              |                |          |
|              |                    |                    |              |                |          |
|              |                    |                    |              |                |          |

\*\*or number previously paid, if greater, For Reissues, see below

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                    |
| 102          | 78       | 202          | 39       | Independent claims in excess of 3                         |
| 104          | 260      | 204          | 130      | Multiple Dependent claim, if not paid                     |
| 109          | 78       | 209          | 39       | **Reissue independent claims over original patent         |
| 110          | 18       | 210          | 9        | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEE

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105                 | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127                 | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139                 | 130      | 139          | 130      | Non-English specification  |          |
| 147                 | 2,520    | 147          | 2,520    | For filing a request for reexamination                                     |          |
| 112                 | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113                 | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115                 | 110      | 215          | 55       | Extension for response within first month                                  |          |
| 116                 | 380      | 216          | 190      | Extension for response within second month                                 |          |
| 117                 | 870      | 217          | 435      | Extension for response within third month                                  |          |
| 118                 | 1,210    | 218          | 680      | Extension for response within fourth month                                 |          |
| 128                 | 1,850    | 228          | 925      | Extension for response within fifth month                                  |          |
| 119                 | 300      | 219          | 150      | Notice of Appeal   |          |
| 120                 | 300      | 220          | 150      | Filing a brief in support of an appeal                                     |          |
| 121                 | 260      | 221          | 130      | Request for oral hearing   |          |
| 138                 | 1,510    | 138          | 1510     | Petition to institute a public use proceeding                              |          |
| 140                 | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141                 | 1,210    | 241          | 605      | Petition to revive - unintentional   |          |
| 142                 | 1,210    | 242          | 605      | Utility issue fee (or reissue)   |          |
| 143                 | 430      | 243          | 215      | Design issue fee   |          |
| 144                 | 580      | 244          | 290      | Plant issue fee  |          |
| 122                 | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123                 | 50       | 123          | 50       | Petitions related to provisional applications                              |          |
| 126                 | 240      | 126          | 240      | Submission of Information Disclosure Stmt                                  |          |
| 581                 | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146                 | 790      | 246          | 395      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149                 | 790      | 249          | 395      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| Other fee (specify) |          |              |          |  |          |
| Other fee (specify) |          |              |          |  |          |

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Typed or  
Printed Name

Gregory D. Caldwell

Signature

Date

04/14/00

## Complete (if applicable)

Reg. Number

39,926

Deposit Account  
User ID

02-2666

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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